

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

JOHN BILLY DEVER, JR.

v.

CEQUEL III COMMUNICATIONS I,
LLC D/B/A SUDDENLINK
COMMUNICATIONS

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Case No. 4:10cv101
(Judge Schneider/Mazzant)

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE


Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On February 16, 2011, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant's Motion for Summary Judgment (Dkt. #25) should be GRANTED.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that Defendant's Motion for Summary Judgment (Dkt. #25) is GRANTED and Plaintiff's case is DISMISSED with prejudice.

IT IS SO ORDERED.

SIGNED this 16th day of March, 2011.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE